

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESAL PRICE
LITIGATION

THIS DOCUMENT RELATES TO ALL
ACTIONS.

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris
Magistrate Judge Marianne B. Bowler

DECLARATION OF JENNIFER FOUNTAIN CONNOLLY

I, Jennifer Fountain Connolly, declare as follows:

1. I am a partner at Wexler Toriseva Wallace LLP and am one of plaintiffs' attorneys. Specifically, my firm represents Sheet Metal Workers National Health Fund ("Sheet Metals"), Plaintiffs' Class 2 representative. I submit the following Declaration in support of Plaintiffs' Memorandum In Opposition To Track 1 Defendants' "Emergency" Motion to Compel the Production of Documents From Sheet Metal Workers National Health Fund.

2. Attached as Exhibit A to this Declaration is a true and correct copy of a December 9, 2005 e-mail from Adeel A. Mangi to Edward Notargiacomo that was forwarded to me by Edward Notargiacomo for my review. It reflects that Defendants originally proposed the dates in what became Case Management Order No. 19.

3. Attached as Exhibit B to this Declaration is a true and correct copy of a September 8, 2006 letter to Steve W. Berman from Adam Wright.

4. Attached as Exhibit C to this Declaration is a true and correct copy of a transcript of the September 12, 2006 hearing on Plaintiffs' motion for class certification with regard to the Track 2 Defendants.

5. Attached as Exhibit D to this Declaration is a true and correct copy of the November 17, 2005 deposition of Glenn Randle taken in this litigation.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: September 27, 2006

/s/ Jennifer Fountain Connolly
Jennifer Fountain Connolly
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CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE

Docket No. MDL 1456

I, Jennifer Fountain Connolly, hereby certify that I am one of plaintiffs' attorneys and that, on September 27, 2006, I caused copies of ***Declaration of Jennifer Fountain Connolly*** to be served on all counsel of record by causing same to be posted electronically via LexisNexis File & Serve.

/s/ Jennifer Fountain Connolly

Jennifer Fountain Connolly